

10/750,427

L-F/217

Remarks

In response to the Examiner's Office Action mailed October 12, 2006, Applicant submits the following remarks.

The claims at issue relate to particular methods for filling a syringe, and more specifically, purging the syringe of air prior to completing the filling operation. As noted in the background of the present application, page 3, when there is air in a syringe or filling tube, there is a maximum rate at which the syringe may be filled without aerating the fluid. This maximum rate represents a limit in the speed at which the filling sequence may be completed.

As noted in the present application, there is a better way. Specifically, if the air is removed from the syringe before filling, syringe may be filled the rest of the way far more quickly, without aeration, than is possible when the air is left in the syringe.

The Examiner's rejection is based on the text bridging cols. 5 and 6 of the cited U.S. Patent No. 5,573,515. However, that text only describes a conventional filling sequence, specifically, connecting the supply of fluid, filling the syringe, and once the syringe is filled, expelling air. It does not describe partially filling the syringe and then expelling air before completing filling, nor does it describe filling at a rate that is faster than may be normally used without aeration. The '515 patent thus is inapplicable to the invention as claimed.

Directing the Examiner's attention to claim 9, this claim recites, after "expelling substantially all air from the fill tube", the step of "filling the syringe at a first rate wherein aeration of the contrast media is prevented, said first rate being faster than a second rate that is a

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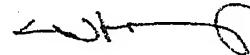
maximum fill rate if air is not previously expelled from the fill tube." Such is not disclosed in the '515 patent, as noted above.

Now turning to claim 12, this claim also recites "expelling substantially all air from a fill tube coupled between [a] syringe and [a] second contrast container" and then, "resuming filling the syringe from the second contrast container at a first rate wherein aeration of the contrast media is prevented, said first rate being faster than a second rate that is a maximum fill rate if air is not previously expelled from the fill tube."

In view of the forgoing clear distinctions of the invention from the cited passages of the '515 patent, Applicant submits that the present claims are patentable thereover and requests early transmission of a Notice of Allowability.

If any petition for extension of time is necessary to accompany this communication, please consider this paper a petition for such an extension of time, and apply the appropriate extension of time fee to Deposit Account 23-3000. If any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,



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